

Senate Study Bill 1167

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
EDUCATION BILL BY
CHAIRPERSON BOETTGER)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act providing for a special education alternative reading
2 instruction pilot project and including a contingent
3 effectiveness clause and an effective date.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1849XC 80
6 rn/cf/24

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1 1 Section 1. SPECIAL EDUCATION PILOT PROGRAM == READING
1 2 LABORATORY.
1 3 1. Recognizing the state's desire to assist children to
1 4 grow, develop, and learn to their fullest extent and empower
1 5 young readers in grades kindergarten through three, and to
1 6 support student achievement and overall academic performance,
1 7 and recognizing that instructional methodologies and
1 8 strategies are important considerations in determining the
1 9 appropriate education for a child with a learning disability,
1 10 a reading laboratory pilot program is established. The
1 11 objective of the program shall be to evaluate methodologies
1 12 and strategies used to teach reading that could be implemented
1 13 to ensure that the state is meeting the unique needs of
1 14 individual children; and to assist with student placement
1 15 decisions in education programs, including placement in the
1 16 special education program.
1 17 2. The program shall be administered by the department of
1 18 education, and shall afford a private education provider the
1 19 opportunity to demonstrate effective methodologies and
1 20 strategies in teaching reading for students in grades
1 21 kindergarten through three identified with special needs. A
1 22 private education provider shall be selected by the department
1 23 which meets the following criteria from among those submitting
1 24 an application for consideration:
1 25 a. The provider shall be doing business in at least two
1 26 locations in a county which contains a school district with an
1 27 enrollment of at least twenty-five thousand pupils in grades
1 28 kindergarten through twelve.
1 29 b. The provider shall possess at least fifteen years of
1 30 business experience in the application of methodologies and
1 31 strategies designed to improve reading skills for students in
1 32 grades kindergarten through twelve.
1 33 c. The provider shall employ at least forty trained staff,
1 34 including at least one staff member who is a licensed special
1 35 education consultant.
2 1 d. The provider shall be able to document success in
2 2 improving student achievement in reading skills in grades
2 3 kindergarten through three.
2 4 The department shall develop private provider application
2 5 forms, and shall publish notice and provide information on the
2 6 department's website regarding the existence of the pilot
2 7 program, application procedures, and program participation.
2 8 The private education provider which meets all of the
2 9 eligibility criteria set forth in this subsection shall be
2 10 selected by the department, and the selection process shall be
2 11 conducted without bidding.
2 12 3. Students in grades kindergarten through three, residing
2 13 in a county which contains a school district with an
2 14 enrollment of at least twenty-five thousand students in grades
2 15 kindergarten through twelve, and who have been identified by
2 16 the school district as qualifying for special education
2 17 services with mild or moderate learning disabilities involving
2 18 difficulty in reading, shall be eligible to participate in the
2 19 program. School districts shall be responsible for
2 20 determining a pool of students who meet the eligibility
2 21 requirements, in coordination with the local area education

2 22 agency; for notifying parents regarding the existence of the
2 23 program and providing an application form and any other
2 24 necessary information; and for submitting applications to the
2 25 department. The department shall select a maximum of fifty
2 26 students from those students submitting an application.
2 27 Selection of students shall be done randomly in the event that
2 28 more than fifty students submit applications, beginning with
2 29 students in the third grade, then second, then first, and
2 30 finally kindergarten, with students eligible for free and
2 31 reduced-price meals under the federal National School Lunch
2 32 Act and the federal Child Nutrition Act of 1966, 42 U.S.C. }
2 33 1751-1785, given priority. Additional eligibility
2 34 requirements may be established by the private education
2 35 provider, including intelligence quotient testing scores, in
3 1 order to provide reliable and beneficial program results.
3 2 Students submitting an application shall be provided with an
3 3 intelligence test selected by the department and administered
3 4 by the local area education agency. The results of the test
3 5 shall remain confidential and shall only be used by the area
3 6 education agency to determine eligibility and participation in
3 7 the pilot program.

3 8 4. Pilot program instruction shall be provided on the
3 9 premises of the private education provider. Student
3 10 instruction shall be provided over a nine-week period during
3 11 the months of June, July, and August 2003. The private
3 12 education provider shall ensure that each student receives
3 13 reading instruction appropriate for the child, for a minimum
3 14 of seven hours per week, with the instruction received
3 15 considered separate and distinct from the student's current
3 16 individual education plan. The school district shall provide
3 17 transportation for the student to the private education
3 18 provider's location, or shall provide parental reimbursement
3 19 for transportation in an amount determined by the school
3 20 district board of directors.

3 21 5. The private education provider shall gather performance
3 22 data to provide for program accountability, including but not
3 23 limited to pretesting and posttesting, to measure improvement
3 24 by each student during instruction, and upon the conclusion of
3 25 the program. The private education provider shall consult
3 26 with the local area education agency for assistance with
3 27 pretesting and posttesting. The private education provider
3 28 shall provide progress reports to the parents or guardians of
3 29 participating students, to the school district in which the
3 30 participating students are enrolled, and to the department.
3 31 The department, in conjunction with the legislative fiscal
3 32 bureau and the private provider, shall review and analyze the
3 33 data collected and submitted by the private education
3 34 provider. Full assurance relating to confidentiality of
3 35 identification of individual students' scores shall be
4 1 provided. The department shall submit a report to the members
4 2 of the general assembly by January 1, 2004, summarizing the
4 3 results of the pilot program. The report shall include an
4 4 analysis of the student improvement as measured through test
4 5 scores, and a short-term and long-term cost savings analysis
4 6 for implementing the private education provider's instruction
4 7 methodology and strategies. The analysis of the cost savings
4 8 shall include savings due to a reduction in the statewide
4 9 average length of participation in the special education
4 10 program. The report shall also include recommendations
4 11 relating to statewide implementation of the pilot program.
4 12 The department shall submit a follow-up report by January 1,
4 13 2005, tracking continued improvement by students who
4 14 participated in the program, and including the number of
4 15 students who are no longer identified as requiring special
4 16 education instruction.

4 17 6. The establishment of the pilot program pursuant to this
4 18 section shall be contingent upon the appropriation of an
4 19 amount sufficient to fund the costs of the program for the
4 20 fiscal year beginning July 1, 2003, and ending June 30, 2004.

4 21 Sec. 2. EFFECTIVE DATE. This Act, being deemed of
4 22 immediate importance, takes effect upon enactment.

4 23 EXPLANATION

4 24 This bill provides for the establishment of a special
4 25 education alternative instruction pilot program focusing on
4 26 improving reading skills in grades kindergarten through three.

4 27 The bill provides intent language supporting the
4 28 establishment of the program, citing the state's desire to
4 29 assist children to grow, develop, and learn to their fullest
4 30 extent, to empower young readers in grades kindergarten
4 31 through three, and to support student achievement and overall
4 32 academic performance. The bill provides that the objective of

4 33 the program shall be to evaluate methodologies and strategies
4 34 used to teach reading that could be implemented to ensure that
4 35 the state is meeting the unique needs of individual children,
5 1 and to assist with student placement decisions in education
5 2 programs, including placement in the special education
5 3 program.

5 4 The bill provides that the program shall be administered by
5 5 the department of education, and shall involve instruction by
5 6 a private education provider intended to demonstrate effective
5 7 methodologies and strategies in teaching reading for students
5 8 in grades kindergarten through three identified with special
5 9 needs. The bill provides that a private provider shall be
5 10 selected by the department which meets specified criteria,
5 11 including doing business in at least two locations located in
5 12 a county which contains a school district with an enrollment
5 13 of at least 25,000 pupils in grades kindergarten through 12,
5 14 possessing at least 15 years of business experience in the
5 15 application of methodologies and strategies designed to
5 16 improved reading skills, employment of at least 40 trained
5 17 staff, including at least one staff member who is a licensed
5 18 special education consultant, and documented success in
5 19 improving student achievement in reading skills in grades
5 20 kindergarten through three. The bill provides that the
5 21 department shall develop private provider application forms
5 22 and shall publish notice regarding the program, and that the
5 23 selection process shall be conducted without bidding.

5 24 The bill provides that eligible students shall be in grades
5 25 kindergarten through three, residing in a county containing a
5 26 school district with an enrollment of at least 25,000 students
5 27 in grades kindergarten through 12, and shall have been
5 28 identified as qualifying for special education services with
5 29 mild or moderate learning disabilities involving difficulty in
5 30 reading. The bill provides that school districts shall be
5 31 responsible for determining a pool of students who meet the
5 32 eligibility requirements, in coordination with the local area
5 33 education agency; for notifying parents regarding the
5 34 existence of the program and providing an application form and
5 35 any other necessary information; and for submitting

6 1 applications to the department. The bill provides that the
6 2 department shall select a maximum of 50 students from those
6 3 students submitting an application. The bill provides that in
6 4 the event that more than 50 students submit an application,
6 5 selection shall be done randomly, beginning with third grade
6 6 students, then second, then first, and finally kindergarten,
6 7 with students eligible for free and reduced-price meals under
6 8 the federal National School Lunch Act and the federal Child
6 9 Nutrition Act of 1966, 42 U.S.C. } 1751-1785, given priority.
6 10 The bill provides that additional eligibility requirements may
6 11 be established by the private provider, and that students
6 12 submitting an application shall be provided with an
6 13 intelligence test selected by the department and administered
6 14 by the local area education agency. The bill provides that
6 15 the results of the test shall remain confidential and shall
6 16 only be used by the area education agency to determine
6 17 eligibility and participation in the pilot program.

6 18 The bill provides that instruction shall be provided on the
6 19 premises of the private provider over a nine-week period
6 20 during the months of June, July, and August 2003, for a
6 21 minimum of seven hours per week, with the instruction received
6 22 considered separate and distinct from the student's current
6 23 individual education plan. The bill provides that the school
6 24 district shall provide transportation for the student to the
6 25 private provider's location, or parental reimbursement for
6 26 transportation expenses.

6 27 The bill provides that the private provider shall gather
6 28 performance data to provide for program accountability, with
6 29 the assistance of the local area education agency, and shall
6 30 provide progress reports to the parents or guardians of
6 31 participating students, to the school district in which the
6 32 participating students are enrolled, and to the department.
6 33 The bill provides that the department, in conjunction with the
6 34 legislative fiscal bureau and the private provider, shall
6 35 review and analyze the data, with full assurance relating to
7 1 confidentiality of identification of individual students'
7 2 scores, and that the department shall submit a report to the
7 3 members of the general assembly by January 1, 2004,
7 4 summarizing the results of the pilot program. The bill
7 5 provides that the report shall include an analysis of the
7 6 student improvement as measured through test scores, a short-
7 7 term and long-term cost savings analysis for implementing the
7 8 provider's instruction methodology and strategies

7 9 recommendations relating to statewide implementation of the
7 10 program. The bill provides for a follow-up progress report
7 11 regarding students who had participated in the program by
7 12 January 1, 2005.
7 13 The bill provides that establishment of the program shall
7 14 be contingent upon an appropriation to fund the costs of the
7 15 program for the fiscal year beginning July 1, 2003, and ending
7 16 June 30, 2004.
7 17 The bill takes effect upon enactment.
7 18 LSB 1849XC 80
7 19 rn/cf/24.4